

Testimony by Mr. Todd Ambs
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on behalf of the
Council of Great Lakes Governors
before the
U.S. Committee on Transportation & Infrastructure,
Subcommittee on Water Resources & Environment

September 13, 2006

Mr. Chairman and members of the Committee, thank you for the opportunity to appear before you today to discuss our shared efforts to protect and restore the Great Lakes. My name is Todd Ambs and I am the Water Division Administrator for the Wisconsin Department of Natural Resources. I am testifying today on behalf of the Council of Great Lakes Governors.

As President Bush noted in his 2004 Executive Order, the Great Lakes are a national treasure. Because of their size, human population, the fact that they are boundary waters shared with Canada and the interstate implications of fish and wildlife populations, management of these resources requires the three C's of collaboration, cooperation and coordination. I am pleased to report today that we have achieved success in the planning phases by fully following these three C's.

Some statistics reflect the complexity and significance of the region while illustrating an essential fact--the restoration and protection of the Great Lakes is of vital national interest to the United States.

The Great Lakes constitute the largest surface freshwater system in the world. More than 35 million Americans receive the benefits of drinking water, food, a place to work and live, and transportation from the Great Lakes.

Our national economy depends on the Great Lakes. The Great Lakes States account for 30 percent of the total US Gross Domestic Product. The Great Lakes are a key national transportation network. U.S.-flag vessels annually ship over 125 million tons of cargo between Great Lakes ports. Fishing, boating, hunting and wildlife-watching generate almost \$53 billion in annual revenues in the Great Lakes region. One-third of all the boats registered in the United States are in the Great Lakes States and boating alone supports over 250,000 jobs.

Unfortunately, and despite significant and ongoing investments by all levels of government, the Great Lakes remain degraded and continue to be threatened. And, these threats promise to increase in the future.

The magnitude of the institutional challenges alone is daunting. To succeed in developing joint efforts, we first had to find a method of engaging eight States, multiple tribal governments, thousands of local governments and multitudes of interest groups. In some instances, we also needed to work closely with the two Great Lakes Canadian Provinces and the Canadian federal government. Despite these institutional challenges, and as a result of a lot of hard work, we now have two regionally developed blueprints for action to address threats to the Great Lakes. The two blueprints are:

1. The Great Lake-St. Lawrence River Basin Sustainable Water Resources Agreement (the Agreement), developed by the Great Lakes Governors in partnership with the Premiers of Ontario and Québec, and the companion Great Lakes—St. Lawrence River Basin Water Resources Compact (the Compact) that is the mechanism the Governors will use to fulfill the promises in the ten-party Agreement; and,
2. The Great Lakes Regional Collaboration's Strategy to Restore and Protect the Great Lakes.

Both of these plans for action are landmark achievements for large-scale resource management. Because of geographic scale, population, environmental complexities and the number of different jurisdictions, both efforts required the strong commitment of the Governors to fully engage all interests and attempt something that had never been done before at this kind of scale. Large collaborative efforts like these are not without risks. Yet, leadership and sincere interest in collaborative approaches promoted the positive atmosphere that led to the successful conclusions noted above.

I would first like to talk about the Agreement and the Compact. The history behind the Agreement and Compact is long, dating back to the Great Lakes Charter in 1985. When events not anticipated by the Charter occurred, specifically the proposal to export water in bulk from Lake Superior to Asia, the Governors and the U.S. Congress responded immediately to develop new approaches that would protect the lakes and preserve the related aquatic systems.

To fulfill their stewardship responsibilities, the Governors, through the Council of Great Lakes Governors, initiated a dialogue with the Premiers of Ontario and Québec which resulted in the Charter Annex Agreement of 2001 (the Annex) being signed by all ten Great Lakes Governors and Premiers. The Annex specified the intent of the ten jurisdictional leaders to create a new water management accord through an open public process within three years. Even though numerous new Governors and Premiers joined the discussions during that period, the regional commitment remained unchanged. A first draft water management plan was released in 2004 with a second draft released in 2005. After two rounds of public meetings and thousands of responses to issues of concern, the final Agreement and Compact were approved on December 13, 2005. This Agreement, the first of its kind in the world, demonstrates that the leaders of the waterbelt are serious about their stewardship role and committed to the need for shared goals, objectives and common protocols for water project reviews and decisions. This Agreement also provides unprecedented protections for the Great Lakes by banning water diversions with limited exceptions, encouraging water conservation and efficiency, and promoting the sustainable use of our water resources.

Now the action will shift to each Statehouse in the region, as the legislatures take the actions needed to enact the Compact. Legislation has already been introduced in Illinois, Ohio and New York, and passed the New York General Assembly. Other States will follow suit. After each State has passed enacting legislation, our attention will turn to Congress. We will ask that Congress provide its consent to the Compact, which will make the Compact a fully enforceable agreement among the States.

I would next like to talk about the Great Lakes Regional Collaboration Strategy. The Strategy is the result of many years of hard work by the Great Lakes Governors and our partners in the Collaboration. The process began when, at the request of the Great Lakes Congressional delegation, the Great Lakes Governors developed priorities for restoration and protection:

- Promoting the sustainable use of water resources;
- Protecting human health;
- Controlling pollution from diffuse sources;
- Reducing persistent bio-accumulative toxics;
- Stopping the introduction and spread of non-native aquatic invasive species;
- Protecting coastal wetland and wildlife habitats;
- Restoring Areas of Concern;
- Improving information collection and dissemination; and,
- Adopting practices that protect the environment along with the recreational and commercial value of the Great Lakes.

In 2004, President Bush issued his Executive Order. This action led to the launch of the Great Lakes Regional Collaboration. The goal of this Collaboration was to develop a strategy to protect and restore the Great Lakes. The Collaboration used the Governors' priorities as its organizing principle.

Over approximately one year, the Great Lakes Governors joined with representatives of the Administration, Congress, Mayors and Tribes to develop the Great Lakes Protection and Restoration Strategy. Over 1500 representatives of a wide cross-section of governmental and non-governmental stakeholder groups participated in creating this Strategy, resulting in its broad-based support.

We now have priorities that we all agree on and we have a broadly-supported Strategy to realize them. Through the Strategy, the region is now speaking with one voice. What is needed now is the will to act, the means to act and the leadership to guide those actions if we are to realize our vision and reach our goals.

The Great Lakes Governors are already committing significant resources to the protection of our Great Lakes. As you may know, the 2003 report by the Government Accountability Office documented the fact that State and local spending on Great Lakes programs far exceeds the investment by the federal government.

Unfortunately, significant challenges remain to achieving our broader objectives. Funding is a consistent obstacle and we recognize that securing investments of the magnitude called for in the Strategy challenges all of us at all levels of government. Nevertheless, the Governors are committed to continuing to work with our region's Mayors, Members of Congress, Tribal leaders and others toward our shared goal of securing large-scale, long-term and stable federal funding to implement the Strategy's recommendations. We are seeking federal funding as a supplement to the State, local and Tribal investment already taking place. While we remain committed to doing our share, we cannot accomplish many urgently needed restoration goals without more federal participation. As the Strategy's recommendations illustrate, some needs can only be addressed through the commitment of large-scale, long-term funding.

We are encouraged by the recent Senate proposals to increase funding authorization for federal, State and Tribal fish and wildlife projects. We also support the recent Senate proposal to institutionalize the organization of the Regional Collaboration process, and

the related federal Interagency Task Force, to maintain the means for working together and for assessing programs and delivery systems to gain efficiencies.

Along with new funding, we also seek improvements to the system by which funds are distributed. Too frequently, Congressional expectations are not achieved. One reason for this is that available funds for addressing a threat are diminished significantly by multiple transaction costs as funds move through agencies towards real implementation. In addition, there are numerous competing programs that often work at cross-purposes. To reduce these overhead “losses,” we encourage Congress to assess the viability of block grant approaches for any new funds which can be committed to support the recommendations of the regional collaboration strategy.

Together with the Mayors, we previously identified FY2007 funding and other near-term actions (attached) that we believe are necessary to jumpstart the implementation of the Strategy. An increase of \$300 million from FY2006 will leverage other monies, bring significant returns and lead to measurable progress. We again ask that Congress seriously consider this request in light of the significant benefits that these investments will mean for the region and the nation. The following is a summary of the Great Lakes Governors’ and Mayors’ top recommendations:

Passage of a strong, effective bill to control nuisance aquatic invasive species and prevent the Asian Carp from entering the Great Lakes.

The Great Lakes Governors have urged Congress to quickly reauthorize and fund the National Aquatic Invasive Species Act. Great Lakes stakeholders echo that request, and further emphasize the need for a strong bill, such as S. 770, H.R. 1591 and H.R. 1592, which include provisions that address the specific challenges faced by the Great Lakes. We applaud the recent bill that authorizes the Army Corps of Engineers to use existing funds to maintain and operate the current temporary Asian Carp dispersal barrier on the Chicago Sanitary and Ship Canal. However, there remains a need for stable, long-term federal funding for the operation and maintenance of both the temporary dispersal barrier and the permanent barrier that is still under construction. The Great Lakes Governors

have already contributed monies to overcome federal funding shortfalls, in addition to the significant amounts committed by the State of Illinois. The federal government must now do its part to ensure that the Great Lakes remain protected from Asian carp.

Increased federal funding for wastewater infrastructure to improve water quality and reduce beach closings. The need is great when it comes to sewers and related infrastructure. As you may recall, U.S. EPA's gap analysis showed a \$525 billion shortfall between current levels of spending and the projected need for water infrastructure investment over the next 20 years. Clearly, this need cannot be met without the increased participation of the federal government.

One of the major threats to human health across the nation, as well as in the Great Lakes and their tributaries, comes from combined sewer overflows (CSOs), which discharge untreated sewage during heavy rainfalls. Costly as they are, CSOs are only one of the water infrastructure challenges faced by local communities. From aging wastewater treatment plants to failing on-lot septic systems, the most advanced nation in the world is struggling to manage its sewage. America deserves better than unsanitary conditions that harken back to the disease-ridden days of long ago. Increased funding for the State Revolving Loan Funds that finance wastewater projects would be a good step toward meeting our infrastructure needs. Unfortunately, these funds have been cut in recent years and, again this year, the President's budget calls for further cuts. We hope to work with you to reverse this trend.

Appropriate funding for the Legacy Act to clean up toxic sediments. The Great Lakes Governors commend President Bush for his inclusion of a \$49.6 million request in Great Lakes Legacy Act funding. The Great Lakes Governors support the President and urge Congress to appropriate these funds.

The Legacy Act specifically addresses residual contaminants in the Areas of Concern where contaminated sediments perpetuate problems such as fish deformities and

limitations on fish consumption. Legacy Act spending can make a very positive difference.

Restore 200,000 acres of wetlands. We applaud the President's commitment to begin work to restore 200,000 acres of wetlands in the Great Lakes Basin. To meet that goal, we ask that \$28.5 million be appropriated to begin restoration work immediately. The States remain committed to working with other non-federal partners to provide an additional \$28.5 million to complement the cost-share toward this end. And, to ensure that we efficiently use the resources we are given, we ask that you join us in encouraging the Great Lakes Federal Interagency Task Force to review all federal agencies' wetland management programs to develop a consolidated wetlands restoration and protection approach.

Encourage sustainable development through the remediation of waterfront brownfields. The philosophy of sustainability overlays all the recommendations in the Strategy. To promote this ethic of sustainable development, we continue to urge that Congress direct USEPA to apportion \$50 million in their brownfield grant program to remediate waterfront brownfields. The remediation of these brownfields and their reintegration into the region's economy will serve as a model of sustainable development.

In closing, Mr. Chairman and members of the committee, our pledge to you is that we will continue to work with you to ensure that the investments we ask Congress to make in the Great Lakes are put to good use. We must restore this ecological treasure. That will be our legacy for future generations.

Thank you, Mr. Chairman.